

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ACTUS, LLC,

Plaintiff,

v.

BANK OF AMERICA CORP., et al.

Defendants.

CIVIL ACTION NO. 2:09-cv-102-TJW

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff, Actus, LLC (“Actus”) and defendant, Sonic Solutions (“Sonic”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims in this action between Actus and Sonic WITH PREJUDICE, subject to the terms of that certain agreement entitled “SETTLEMENT AGREEMENT” and dated August 26, 2009, with each party to bear its own costs, expenses and attorneys fees.

Dated: September 9, 2009

Respectfully Submitted,

SONIC SOLUTIONS

By: /s/ Jennifer Parker Ainsworth

Jennifer Parker Ainsworth
Texas State Bar No. 00784720

Wilson Robertson & Cornelius PC
909 ESE Loop 323
Suite 400
P.O. Box 7339
Tyler , TX 75711-7339
Telephone: 903-509-5000
Fax: 903-509-5092
Email: jainsworth@wilsonlawfirm.com

**ATTORNEY FOR DEFENDANT
SONIC SOLUTIONS**

ACTUS, LLC

By: /s/ William E. "Bo" Davis, III

William E. "Bo" Davis III
Texas State Bar No. 24047416

The Davis Firm, PC
111 West Tyler Street
Longview, Texas 75601
Phone: 903-230-9090
Fax: 903-230-9661
Email: bdavis@bdavisfirm.com

**ATTORNEY FOR PLAINTIFF
ACTUS, LLC**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic served were served with a true and correct copy of the foregoing by email, on this the 9th day of September, 2009.

/s/ William E. "Bo" Davis, III
William E. "Bo" Davis, III